

STATEMENT OF SUBSTANCE OF INTERVIEW

Responding to the Interview Summary dated September 14, 2006 in the above-identified application, Applicants submit the following statement, summarizing the substance of a telephonic interview held between the Examiner and Applicants' representative on September 7, 2006, following an Office Action dated June 9, 2006. Applicants responded to that Office Action on September 11, 2006. It is believed that the response included the substance of the interview. Regardless, a statement summarizing the substance of the interview (and as discussed in the response to the Office Action) is provided below.

In the interview, independent claims 1, 15, and 21 were discussed with respect to cited U.S. Patent No. 5,662,612 (Niehoff). In particular, Applicants' representative noted that the Examiner, in the Office Action, particularly points to Figure 1A of Niehoff as disclosing a syringe barrel, a plunger, and a knurled extension member.

Applicants' representative disagreed that Niehoff teaches at least the claimed extension member. In particular, Applicants' representative noted that independent claim 1 recites that the "rearward facing extension is knurled," and that the knurls are "a series of ridges or grooves that are not adapted to interlockingly engage with said coupling mechanism." Applicants' representative further noted that both of independent claims 15 and 21 recite that the extension comprises "a plurality of knurls."

Applicants' representative acknowledged that Fig. 1A of Niehoff does show an extension on a syringe plunger. However, Applicants' representative contended that the extension is not knurled. Rather, Applicants' representative stated that it only shows a mushroom-shaped button (having a stem and a cap), which is the very art described as problematic in the Background section of the application, and which Applicants move away from with the claimed invention. Applicants' representative stated that the knurls are a series of ridges or grooves on the extension, and that a series of ridges or grooves is the common, ordinary meaning of "knurled." Applicants' representative stated that there are no such ridges shown in Niehoff, and thus there are no knurls shown in Niehoff. Further, Applicants' representative stated that the word "knurl" does not appear in Niehoff.

The Examiner then suggested that the cap portion of the extension of Niehoff is of a larger transverse cross-section than the stem of the extension, and therefore could be considered a knurl. Applicants' representative disagreed, stating first that such would be divergent from the ordinary meaning of "knurl," and second, even if one skilled in the art were to consider the "cap" to be a knurl, there is only one cap, and thus only one knurl in Niehoff, whereas the independent claims of the present application recite "knurls" or "a plurality of knurls." Further, Applicants' representative stated that the cap of the extension is connected to jaws of a drive ram, and that there would be no motivation to add a second cap because that would add materials, cost,

Application Serial No. 09/764,630
Filed January 18, 2001
Statement of Substance of Interview dated October 13, 2006
Reply to Interview Summary dated September 14, 2006

and increase the length of the apparatus of Niehoff, all while doing nothing to improve function.

At the end of the interview, Applicants' representative and the Examiner agreed that Niehoff was not very good prior art against the claims of the application. The Examiner suggested that a response be submitted, detailing the arguments discussed in the interview so that the Examiner could give them closer consideration. The Examiner also asked Applicants' representative to consider whether the cap portion itself could be considered more than one knurl, since it has both proximal and distal sides, and to address that in the Office Action.

Respectfully submitted,
Wood, Herron & Evans, L.L.P.

By: David E. Jefferies/
David E. Jefferies, Reg. No. 46,800